

1 CLARK COUNTY SCHOOL DISTRICT
OFFICE OF THE GENERAL COUNSEL
2 S. SCOTT GREENBERG, ESQ.
Nevada Bar No. 4622
3 5100 West Sahara Avenue
Las Vegas, Nevada 89146
4 Phone: (702) 799-5373
Fax: (702) 799-5505
5 Attorney for Defendant

6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

8
9 RHONDA WILKINSON,

10 Plaintiff,

11 v.

12 CLARK COUNTY SCHOOL DISTRICT,

13 Defendant.

CASE NO. 2:05-cv-1083-JCM(RJJ)

EX PARTE MOTION TO EXTEND TIME
TO FILE PRE-TRIAL ORDER

(First Request)

14
15 COMES NOW, Defendant Clark County School District ("District"),
16 and hereby files this ex parte request to extend the time for the
17 parties to file their Pre-Trial Order for two (2) weeks from
18 February 4, 2011 to February 18, 2011. This request is based upon
19 the following Memorandum of Points and Authorities, attached
20 affidavit of counsel and the other papers and pleadings on file with
21 the Court.

22 DATED this 2nd day of February, 2011.

23 CLARK COUNTY SCHOOL DISTRICT
Office of the General Counsel

24
25 By: _____

/s/
S. SCOTT GREENBERG
Nevada Bar No. 4622
5100 West Sahara Avenue
Las Vegas, Nevada 89146
Attorneys for Defendant
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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. INTRODUCTION

3 A status conference for this matter was held by Magistrate
4 Judge Johnston on January 5, 2011. Plaintiff, who is not
5 represented by counsel, had unilaterally filed a Pre-Trial Order
6 (Docket No. 98). That unilateral filing was stricken and February
7 4, 2011, was set as the date for filing the parties' joint Pre-Trial
8 Order. Docket No. 99. It is requested that the current deadline
9 be extended to February 18, 2011, to allow the parties time to
10 finalize their Pre-Trial Order and file it with the Court.

11 II. LEGAL ANALYSIS

12 Local Rule 16-4 requires the parties file a joint Pre-Trial
13 Order. The parties have exchanged three (3) drafts of the
14 document.¹ Due to Plaintiff's *pro se* status, the parties have been
15 limited to mailing drafts to each other. Exhibit 1. The parties
16 have almost finalized the document but still have a few issues to
17 finalize. The undersigned received Plaintiff's most recent request
18 for revisions today and will be sending her a revised draft this
19 week. It is believed the document can be finalized within the next
20 two (2) weeks for filing.

21 This short extension for filing the Pre-Trial Order will not
22 unduly delay this matter and is proper under Rule 6(b)(1). This
23 request is being made by way of this motion rather than seeking a
24 stipulation due to the time involved in obtaining an executed
25 stipulation with Plaintiff as a *pro se* litigant.

26
27 ¹ Although Plaintiff is generally responsible for drafting the Pre-Trial Order, the undersigned
28 agreed to draft the document at the status conference using Plaintiff's unilateral filing as a starting
point.

1 III. CONCLUSION

2 Based upon the above, it is requested that the deadline for
3 filing the Pre-Trial Order be extended from February 4, 2011, to
4 February 18, 2011.

5 Respectfully submitted,

6 CLARK COUNTY SCHOOL DISTRICT
Office of the General Counsel

7 By: /s/
8 S. SCOTT GREENBERG
9 Nevada Bar No. 4622
Nevada Bar No. 4622
10 5100 West Sahara Avenue
Las Vegas, Nevada 89146
Attorneys for Defendant

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13 IT IS SO ORDERED:

14 Robert Johnston
15 U.S. MAGISTRATE JUDGE

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17 DATED: March 2, 2011
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EXHIBIT 1

EXHIBIT 1

AFFIDAVIT OF S. SCOTT GREENBERG

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2 STATE OF NEVADA)
) SS:
3 COUNTY OF CLARK)

4 S. Scott Greenberg, Esq. being first duly sworn, deposes and
5 states:

6 1. I am an attorney duly licensed to practice before all
7 courts in this state and am counsel of record for Defendant in
8 Wilkinson v. CCSD, Case No. 2:05-cv-1083-JCM(RJJ). I am making this
9 affidavit upon my personal knowledge

10 2. At the status conference, I agreed to prepare the Pre-
11 Trial Order beginning with Plaintiff's unilaterally filed document
12 as a starting point. I have sent three (3) drafts to Plaintiff as
13 of this date. Today, I received Plaintiff's latest request for
14 revisions and will be sending her a revised draft before the end of
15 the week.

16 3. The only method to get documents to Plaintiff is mailing
17 them to her.

18 FURTHER YOUR AFFIANT SAYETH NAUGHT.

19 Pursuant to 28 U.S.C. Section 1746, I declare under penalty of
20 perjury that the foregoing is true and correct.

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22 Date: 1/18/11

_____/s/
S. SCOTT GREENBERG

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